

Express Mailing Label No. EV 825 901 617 US

PATENT APPLICATION

Docket: 14321.79

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Tsutomu Kitoh et al.

Serial No.: 10/540,789

Filed: June 27, 2005

Confirmation No.: 2077

For: ARRAY WAVEGUIDE LATTICE TYPE OPTICAL
MULTIPLEXER/DEMULTIPLEXER CIRCUIT

CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. § 1.10

I hereby certify that the following documents are being deposited with the United States Postal Service as Express mail, postage prepaid, in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 14th day of April 2006:

- Response to Notification of Missing Requirements (3 pgs.) (in duplicate)
- Combined Declaration and Power of Attorney (5 pgs.)
- Copy of Notification of Missing Requirements (2 pages)
- Form PTO-2038 submitting Credit Card Payment in the amount of \$130
- Postcard

Respectfully submitted,



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RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Sir:

In response to the Notification of Missing Requirements mailed February 14, 2006, please find enclosed herewith the following items for filing in the United States Patent and Trademark Office in connection with the above-identified patent application:

- A Combined Declaration and Power of Attorney executed by the inventors.
- An Assignment conveying the invention to _____, including a Form PTO-1595 recordation cover sheet.
- A Declaration Claiming Small Entity Status Pursuant to 37 C.F.R. § 1.9 and § 1.27.
- The present application claims entitlement to Small Entity Status under 37 CFR §§ 1.9 and 1.27.

A copy of the Notification of Missing Requirements.

A Certificate of Express Mail under 37 C.F.R. § 1.10.

To render the Response timely filed, enclosed are the following:

Petition for a ____-Month Extension of Time; and

Check No. ____ in the amount of \$____ to cover the fee for the extension of time.

The filing fee has been calculated as shown below.

			SMALL ENTITY		LARGE ENTITY	
FOR	NO. FILED	NO. EXTRA	RATE	Fee	RATE	Fee
BASIC FEE				\$370		\$740
TOT. CLAIMS	-20=		X 9=		X 18=	
IND. CLAIMS	-3=		X 42		X 84=	
MULTIPLE DEPENDENT CLAIM			+140=		+280=	
			TOTAL		TOTAL	

Form PTO-2038 submitting Credit Card Payment in the amount of \$130.00 is enclosed to cover the surcharge fee pursuant to 37 C.F.R. § 1.16(e).

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or to credit any overpayment to Deposit Account No. 23-3178.

Any additional filing fees required under 37 C.F.R. § 1.16.

Any patent application processing fees under 37 C.F.R. § 1.17.

The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3178.

Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.

Any patent application processing fees under 37 C.F.R. § 1.17.

The issue fee set in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

A duplicate copy of this letter is enclosed.

Please address all future correspondence in connection with this case to the attention of the undersigned.

DATED this 14th day of April 2006.

Respectfully submitted,



DANA L. TANGREN
Attorney for Applicant
Registration No. 37,246
Customer No. 022913
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/540,789	Tsutomu Kitoh	14321.79
		INTERNATIONAL APPLICATION NO.
		PCT/JP03/17065
		I.A. FILING DATE
		PRIORITY DATE
		12/26/2003
CONFIRMATION NO. 2077 371 FORMALITIES LETTER		
[*] OC000000017989759*		

Date Mailed: 02/14/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/27/2005
- English Translation of the IA filed on 06/27/2005
- Copy of the International Search Report filed on 06/27/2005
- Oath or Declaration filed on 06/27/2005
- Request for Immediate Examination filed on 06/27/2005
- U.S. Basic National Fees filed on 06/27/2005
- Assignment filed on 06/27/2005
- Priority Documents filed on 06/27/2005
- Power of Attorney filed on 06/27/2005

MISSING
 am 4/16/06
 TAH 2/20/06

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - All the inventors must be identified on each declaration.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed

to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/540,789	PCT/JP03/17065	14321.79

FORM PCT/DO/EO/905 (371 Formalities Notice)